

GEORGE D. YARON, ESQ. (State Bar #96246)
KEITH E. PATTERSON, ESQ. (State Bar #225753)
YARON & ASSOCIATES
601 California Street, 21st Floor
San Francisco, California 94108-2281
Telephone: (415) 658-2929
Facsimile: (415) 658-2930

Attorneys for Defendant
TOP INNOVATIONS, INC.

FILED

2007 AUG 24 P 2:36

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

E-FILED

Sm

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIEN NGUYEN,

Plaintiff,

vs.

TOP INNOVATIONS, INC., COSTCO and Does
1 to 20,

Defendants.

C07 04386

Case No.:

DECLARATION OF GEORGE D.
YARON

I, George D. Yaron, declare as follows:

1. I am an attorney at law, duly licensed to practice law before all courts of the State of California. I am an partner with law firm Yaron & Associates, attorneys of record for Defendant TOP INNOVATIONS, INC. ("TOP").

2. The facts stated herein are true of my own personal knowledge, except those matters stated on information and belief, and, as to those matters, I believe them to be true. If called as a witness, I could and would competently testify to the same. I make this Declaration in support of TOP's Notice of Removal of Action under 28 U.S.C. §1441(b).

3. The amount in controversy in the aforesaid action exceeds the sum of \$75,000.00, exclusive of interest and costs. On Thursday, August 2, 2007, Plaintiff's attorney, Gregg Kays contacted counsel for TOP, requesting to settle this case for more than \$75,000.00. This representation by Plaintiff's counsel exceeds the minimum jurisdictional requirement of this Court.

1 4. On information and belief, Plaintiff is a citizen of the State of California, County of
2 Santa Clara. This information is discerned from the fact that Plaintiff purchased the product at a
3 COSTCO store in the County of Santa Clara, and used the product to clean the tile floors in his
4 home, presumptively in the County of Santa Clara. Moreover, Plaintiff obtained counsel located in
5 the County of Santa Clara, and filed this action in the County of Santa Clara.

6 5. TOP was and is a Corporation duly organized and existing by virtue of the laws of
7 the State of Kansas, with its principal place of business in the city of Kansas City.

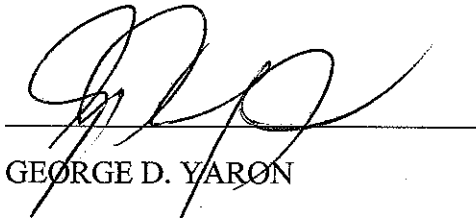
8 6. My research revealed that COSTCO is a company organized and existing under the
9 laws of the State of Washington with its principal place of business in the City of Issaquah.

10 7. The Complaint was mailed to TOP on July 28, 2007, via certified mail.

11 8. We are unaware of effective service on any other Defendant.

12 I declare under penalty of perjury under the laws of the State of California that the foregoing
13 is true and correct and this declaration was executed on August 24, 2007, in San Francisco,
14 California.

15
16
17
18
19
20
21
22
23
24
25
26
27
28



GEORGE D. YARON